

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

September 11, 2012

No. 12-10572

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

CHRISTOPHER ALEXANDER,

Defendant - Appellant

Appeal from the United States District Court for the
Northern District of Texas
USDC No. 5:01-CR-60-1

Before DeMOSS, STEWART, and GRAVES, Circuit Judges.

PER CURIAM:*

In this criminal case, the district court imposed sentence and entered judgment on January 11, 2002. On October 7, 2011, the petitioner filed a motion pursuant to Federal Rule of Civil Procedure 60(b)(4) challenging the district court's subject matter jurisdiction. The district court denied the motion and the plaintiff appealed. Because the Rules of Civil Procedure apply only to civil cases, "the district court did not err in denying Alexander's

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Rule 60(b) motion.” *United States v. Alexander*, 242 F. App’x 202, 202 (5th Cir. 2007). AFFIRMED.